

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67581 of 2024

Arising Out of PS. Case No.-264 Year-2024 Thana- NATHNAGAR District- Bhagalpur

Suraj Kumar S/O Late Yogendra Choudhary R/O Mohalla- Pasitola, P.S. -
Nathnagar (Lalmatiya), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Syed Maslehuddin Ashraf, Sr. Advocate Mr. Rana Hason, Advocate Ms. Homa Yunus, Advocate
For the Opposite Party/s	:	Mr. Bharat Lal, APP
For the Informant	:	Mr. Viveka Nandsingh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 28-01-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with
Nathnagar P.S. Case No. 264 of 2024, instituted for the offences
punishable under Sections 302, 120(B), 201/34 of the Indian
Penal Code.

3. The prosecution case, in short, is that, husband of
the informant got a phone call from the petitioner and went for
some urgent work and till then her husband did not return to
home. When the next day informant reached police station, there
she found the dead body of her husband. It is further alleged that



petitioner along with other co-accused persons have committed murder of her husband.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that neither the petitioner had come to the house of the informant nor he has accompanied with the deceased on the alleged date of occurrence. It is further submitted that no specific overt act has been alleged against the petitioner. The allegation levelled against the petitioner is general and omnibus in nature. The petitioner is in custody since 17.06.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that the petitioner is named in the FIR. As per paragraph nos. 3 and 15 of the case diary, it transpires that informant and one independent witness have supported the prosecution case. It is further submitted that the petitioner has confessed his guilt as per paragraph no. 19 of the case diary which is self confession of the petitioner. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected at this stage. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

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